

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of Bennington :  
Serial No. 10/762,917 : Art Unit 3725  
Filed: January 22, 2004 : Examiner Shelley M. Self  
Title: SPLIT WHEEL STUMP CUTTER : Confirmation No. 6149  
WITH REPLACEABLE TOOTH :  
BLOCKS AND CUTTING TEETH : Docket No. SNE-10-5622-D1

TERMINAL DISCLAIMER

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The owner, John T. Bennington of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to Patent No. 6,698,477 B1, issued March 2, 2004. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the granted patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of Patent No 6,698,477 B1, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination

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